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10/069,822	09/19/2002	Jonathan Drazin	UV/283	5397

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EXAMINER	
HONG, HYUN J	

ART UNIT	PAPER NUMBER
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/069,822	DRAZIN, JONATHAN	
	Examiner	Art Unit	
	Hyun J. Hong	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 2/13/04.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-39,41-45 and 47-52 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-39, 41-45, 47-52 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 1/12/04, 7/17/03.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 8-16, 37-39, 41, 44, 45, 49 are rejected under 35 U.S.C. 102(b) as being taught by Kwoh (WO 96/13933).

Regarding claim 1, Kwoh teaches a system comprising a handset (fig. 20 (1552)) that is operable to establish an audio telephonic link, a display (1600) for displaying video signals and a controller (fig. 14) operable to communicate with the handset, wherein the handset is operable to send a response signal to the controller in reply to a prompt on the display (page 24 lines 21-27), which prompt is indicative of the availability of further information from a service provider, whereupon receipt of the response signal, the controller is operable to transmit a control signal to automatically cause an audio telephonic link between the handset and the service provider to be established (page 24 lines 37-38, page 25 lines 1-2).

Regarding claim 2, Kwoh teaches the system of claim 1, wherein the prompt is an advert or cue or icon (page 24 "advertisement").

Regarding claim 4, Kwoh teaches the system of claim 1, wherein the response signal is generated when a user flags a logical interest to such a prompt by selecting and pressing an appropriate soft action key on the handset (p 24 lines 37-38, p25 li 1-2).

Regarding claim 8, Kwoh teaches the system of claim 4, wherein a telephone number is downloaded with the advert panel, which telephone number is dialed automatically when the controller sends the control signal to the handset (p24 lines 21-38, p25 lines 1-2)

Regarding claim 9, Kwoh teaches the system of claim 1, wherein the display is a screen of a television or computer (fig. 30 (1600)).

Regarding claim 10, Kwoh teaches the system of claim 1, wherein the controller is a control module that is a discrete unit or provided in a television or PC (fig. 14).

Regarding claim 11, Kwoh teaches the system of claim 10, wherein the control module comprises a cradle that is connected to a power supply (1580) and is adapted to receive the handset, so that the handset can be recharged (fig. 13, p17 li 29-30).

Regarding claim 12, Kwoh teaches the system of claim 1, wherein the handset is a wireless handset (fig. 15 (1552), p17 line 34).

Regarding claim 13, Kwoh teaches the system of claim1, wherein the handset is operable to control the functionality of the display (p 18 line 38, p19 lines 1).

Regarding claim 14, Kwoh teaches the system of claim 1, wherein the telephone link is established over the public switched network (PSTN) (p17 lines 24-26 *The major telephone network is the PSTN).*

Regarding claim 15, Kwoh teaches the system of claim 14, wherein the handset is in communication with a base unit that is connected to the PSTN (p. 17 lines 37, antenna (1570)).

Regarding claim 16, Kwoh teaches the system of claim 14, wherein the handset has the functionality of a cordless telephone (p17 lines 34).

Regarding claim 37, see the rejection of claim 1.

Regarding claim 38, see the rejection of claim 1.

Regarding claim 39, Kwoh teaches a wireless telephone handset for connecting an external device to a telephone network, comprising:

A body portion having an ear portion and a mouth portion, wherein the ear portion has an earpiece and the mouth portion has a mouthpiece for allowing a user to have a telephone conversation (fig. 15); and

Modem circuitry configured to transmit and receive modem signals, wherein the modem circuitry comprises:

A first input to wirelessly receive data and control signals from the external device (fig. 18 (1622));

A second input to wirelessly receive modem signals from the telephone network (1618 receiver);

A first output to wirelessly transmit modem signals corresponding to at least a portion of the data and control signals received from the external device to the telephone network (1618 transmitter); and

A second output to wirelessly transmit data corresponding to at least a portion of the modem signals received from the telephone network to the external device (5way IR transmitter).

Regarding claim 41, Kwoh teaches the telephone handset of claim 39 adapted to function as a remote control for a television or a television accessory or a video recorder or a set top box (page 20, lines 4-10).

Regarding claim 44, see the rejection of claim 14.

Regarding claim 45, see the rejection of claim 15.

Regarding claim 49, Kwoh teaches the system of claim 15, wherein the handset is in wireless communication with the base unit (fig. 17).

Claims 3, 5-7, 47, 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwoh (WO 96/13933) in view of Alexander (US 6,177,931).

Regarding claim 3, Kwoh teaches the system of claim 2, but does not teach wherein the advert is presented as a panel in a portion of the EPG display.

In analogous art, Alexander teaches wherein the advert is presented as a panel in a portion of the EPG display (fig. 1).

It would have been obvious to combine the advertisement setup of Alexander into the system of Kwoh. This would make the user interface more efficient and give advertisers more access to the users by integrating the ads with an EPG, which users spend a lot of time viewing.

Regarding claim 5, Kwoh in view of Alexander teaches the system of claim 3, wherein the ad panel is downloaded with the EPG data (col. 8 lines 19-35 of Alexander).

Regarding claim 6, Kwoh in view of Alexander teaches the system of claim 3, wherein updated ad panels or icons are downloaded separately from the EPG (col. 8 lines 19-35 of Alexander).

Regarding claim 7, Kwoh in view of Alexander teaches the system of claim 3, wherein ad panels and/or cues and/or icons are pre-loaded in a memory and software is provided for causing the ad panels and/or cues and/or icons to be displayed at a particular time or downloaded to the user in a real time broadcast (col. 22 lines 4-17 of Alexander).

Regarding claim 47, see the rejection of claim 3.

Regarding claim 48, Kwoh in view of Alexander teaches the system of claim 2, wherein the advert, cue, or icon is presented simultaneously with a real time broadcast (fig. 6 "real time PIP" of Alexander).

Claims 17-19, 26, 31-36, 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwoh (WO 96/13933) in view of Ely (US 5,574,778).

Regarding claim 17, Kwoh teaches an interactive call management system comprising a handset that is perable to establish an audio telephonic link (p. 24 lines 37-38, p. 25 lines 1-2), a display separate from the handset (1600), a communication link between the handset and the display (fig. 20), and a graphical user interface for presenting information relating to telephone services on the display (p. 24 lines 21-24),

wherein the handset has data entry keys or buttons of interactively entering requests for information on the display (fig. 15). However, Kwoh does not teach presenting information relating to telephone callers on the display.

In analogous art, Ely teaches presenting information on callers on the display (fig. 23).

It would have been obvious to combine the telephony system of Ely into the system of Kwoh. This would make the system more efficient by allowing users to place and receive phone calls using their television.

Regarding claim 18, Kwoh in view of Ely teaches the system of claim 17, wherein the display is the screen of a television (1600 of Kwoh) or computer.

Regarding claim 19, Kwoh in view of Ely teaches the system of claim 18, wherein the handset is adapted to control the television or computer (p 18 lines 38, p 19 lines 1 of Kwoh).

Regarding claim 26, Kwoh in view of Ely teaches the system of claim 17, further comprising means for receiving and interpreting incoming calls, in order to provide the names and numbers of incoming callers on the display (fig. 23 of Ely).

Regarding claim 31, Kwoh in view of Ely teaches the system of claim 17, further comprising a controller that is separate from the handset, wherein the communication link between the handset and the display is provided via the controller (fig. 17 of Kwoh).

Regarding claim 32, see the rejection of claim 12.

Regarding claim 33, see the rejection of claim 13.

Regarding claim 34, see the rejection of claim 14.

Regarding claim 35, see the rejection of claim 15.

Regarding claim 36, see the rejection of claim 16.

Regarding claim 50, Kwoh in view of Ely teaches the system of claim 26, wherein the names and numbers of incoming callers are captured using calling line identification (fig. 26 of Ely "caller ID").

Regarding claim 51, see the rejection of claim 49.

Claims 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwoh (WO 96/13933) in view of Ely (US 5,574,778) as applied to claim 17, further in view of Alexander (US 6,177,931).

Regarding claim 30, Kwoh in view of Ely teaches the system of claim 17. However, Kwoh in view of Ely does not teach wherein the graphical user interface is an electronic program guide.

In analogous art, Alexander teaches an electronic program guide (fig. 1).

It would have been obvious to combine the EPG of Alexander into the phone system of Kwoh in view of Ely. This would improve convenience for the user by allowing the user to check the status of phone calls and messages while viewing program listings at the same time.

Claims 20-25, 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwoh (WO 96/13933) in view of Ely (US 5,574,778) as applied to claim 17 above, further in view of Tidwell (US 6,535,590).

Regarding claim 20, Kwoh in view of Ely teaches claim 17, but does not teach wherein the GUI is adapted to present telephone directory information.

In analogous art, Tidwell teaches wherein the GUI is adapted to present telephone directory information (Fig. 6a).

It would have been obvious to combine the directory of Tidwell into the system of Kwoh in view of Ely. This would allow users to store caller information for future use.

Regarding claim 21, Kwoh in view of Ely further in view of Tidwell teaches the system of claim 17, further comprising a memory for storing lists of telephone numbers or associated names (fig. 6a of Tidwell).

Regarding claim 22, Kwoh in view of Ely further in view of Tidwell teaches the system of claim 21, wherein the list is arranged by the user in order to provide a personalized or customized list (fig. 6a of Kwoh *The user can add or delete entries.)*

Regarding claim 23, Kwoh in view of Ely further in view of Tidwell teaches the system of claim 22, wherein a cursor or marker is provided that can be moved about the display using the handset (col. 5 lines 53-60 of Tidwell).

Regarding claim 24, Kwoh in view of Ely further in view of Tidwell teaches the system of claim 23, wherein a particular number is selectable from the list for dialing by marking it with the cursor or marker and then pressing an appropriate key or button on the handset to cause automatic dialing of the number (col. 7 lines 46-50 of Tidwell).

Regarding claim 25, Kwoh in view of Ely further in view of Tidwell teaches the system of claim 17, wherein the Gui is adapted to present telephone directory (fig. 6a of Tidwell) information, the directory information comprising a list of service providers (p 24 lines 21-24 of Kwoh) that have advertised on the display. The telephone numbers of the service providers are given to the user, so the user can add entries into the directory.

Regarding claim 27, Kwoh in view of Ely further in view of Tidwell teaches the system of claim 17 further comprising a recorder for recording a voice message and playing back that message when desired (fig. 9 of Tidwell).

Regarding claim 28, Kwoh in view of Ely further in view of Tidwell teaches the system of claim 26, further comprising a memory for storing lists of telephone numbers or associated names, the number of the incoming caller being annotated with a name and added to the list that is preferably presented on the display (fig. 23 of Ely).

Regarding claim 29, Kwoh in view of Ely further in view of Tidwell teaches the system of claim 28, wherein a cursor or marker is provided for highlighting a name on the list and dialing the appropriate number when the name is selected from the TV screen (fig. 6a "dial" of Tidwell).

Claims 42, 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwoh (WO 96/13933) in view of Hylton (US 5,793,413).

Regarding claim 42, Kwoh teaches claim 39, but does not teach a portable computer.

In analogous art, Hylton teaches a PDA with an IR transceiver (col. 27 lines 63-67, col. 27 lines 1-15).

It would have been obvious to combine the PDA of Hylton into the system of Kwoh. This would improve the versatility of the invention by allowing a user to use the cordless phone as a modem for a personal computer. (*The system of Kwoh also teaches a set top box (computer), and it is well known that the components of a computer and a portable computer are similar).*

Regarding claim 43, see the rejection of claim 11.

Claims 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwoh (WO 96/13933) in view of Ely (US 5,574,778) as applied to claim 43 above, further in view of Hylton (US 5,793,413).

Regarding claim 52, see the rejection of claim 11.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hyun J. Hong whose telephone number is (571)-270-1553. The examiner can normally be reached on M-F (9:30a-7:00p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571)272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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